

Current Bill Status

February 27, 2001

HB1001
ATOD/TS

State Budget
B Bauer, W Cochran
Ways and Means

Appropriates state money for the biennium beginning July 1, 2001 and ending June 30, 2002. Includes provisions regarding use of the tobacco settlement funds. *Amendments made in committee and passed out, 24-1.*

HB1186
ATOD

Local health maintenance fund.
J Day, M Murphy, G Dillon, M Budak, W Moses, G Goeglein
Public Health

Local health maintenance fund. Annually appropriates \$1,500,000 from the Indiana tobacco master settlement fund to the local health maintenance fund for distribution to local boards of health. Adds training, equipment, and research to the list of purposes for which money may be expended from the local health maintenance fund. Makes conforming changes. *Passed both Public Health and Ways & Means Committees. Amended at second reading and passed. Passed House, 86-0, February 14th.*

HB1201
ATOD

Drug testing in the workplace.
D Young, R Liggett
Labor and Employment

Drug testing in the workplace. Prohibits an employer, and employment agency, a labor organization, or a joint labor-management committee from using drug testing results: (1) to make hiring decisions; or (2) to take employee disciplinary action, if the only drugs detected are drugs: (1) taken under the supervision of a licensed health care professional; or (2) authorized for use by federal law. *Hearing scheduled in committee on February 13th. Rep Liggett added as a co-author. Amended to put the burden of proof on job applicant or employee that drugs detected in a test were prescribed by a licensed health professional. Bill passed out of committee.*

HB1360
ATOD

Designation of tax refund for cancer research.
B Hasler, V Becker, M Budak, C Brown
Ways and Means

Provides that a taxpayer may designate all or part of the taxpayer's state income tax refund to be paid over to the Indiana health care trust fund for cancer research. *Bill amended in committee to add a Parkinsons' Disease Research account within the Indiana health care trust fund (this is funded from tobacco settlement monies). The bill passed committee and then the House, 96-0. The Senate sponsors are Sens P Miller and V Simpson.*

HB1381
ATOD

Mental health insurance coverage.
S Crosby, G Goeglein
Insurance, Corporations and Small Business

Includes services for substance abuse within the definition of "coverage of services for mental illness", for purposes of the law prohibiting the application of treatment limitations or financial requirements to coverage of services for mental illness if similar limitations or requirements do not apply to the coverage of services for other medical or surgical conditions. (The introduced version of this bill was prepared by the Indiana commission on mental health.) *Commission recommendation. Bill amended in committee to apply only to state employee insurance coverage and passed out, 10-3. Referred to Ways & Means Committee. Rep Goeglein added as co-author. Passed out of Ways & Means, 22-0, February 20th.*

HB1578
TS

State tax administration and motor vehicles.
W. Cochran, J Denbo
Ways and Means

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Contains several provisions including that a driver who commits certain serious traffic violations related to railroad crossings while operating a commercial motor vehicle is disqualified from driving such a vehicle for specified periods. *Amendments made in committee and passed 22-1.*

HB1638 *Alcoholic beverage commission.*

ATOD

Robert Kuzman

Public Policy, Ethics and Veterans Affairs

Changes the name of the alcoholic beverage commission to the alcohol and tobacco commission. Provides for resolving a tie vote of the commission. Establishes experience requirements for the superintendent of law enforcement officers. Allows a permittee to give notice of an application by placing a sign on the affected property in some circumstances. Allows the commission to accept payment by credit card, money order, or electronic transfer. Allows an Internet company to obtain a salesman's permit. Prohibits the issuance of an employee's permit to certain persons convicted of operating while intoxicated. Allows express hotels to sell alcoholic beverages. Allows the hotels to set different prices for alcoholic beverages served in different restaurants in the same hotel complex. Revises the fee schedule for permits. Allows the wine dealers to make home deliveries of wine. Increases criminal penalties. Imposes interest, a late payment penalty, and the reasonable costs of collection on a person who fails to make a timely payment of an infraction payable to the youth tobacco education and enforcement fund. Makes it a Class C infraction for a person to purchase tobacco for a minor. Allows certain tobacco notices to have alternative language approved by the commission. Makes other changes. *Hearing scheduled for February 14th. Provisions from HB1064, HB1269, HB1370, HB1530, HB1544, HB1604 have been amended into this bill, an omnibus for the Alcoholic Beverage Commission. The committee passed the bill as amended, 12-1.*

HB1652 *Riverboat tax exemption.*

GAME

Earl L. Harris

Ways and Means

Provides a partial use tax exemption for riverboat assessed as real property under the real property assessment law. Allows claims for refunds on use taxes paid since 1996. *Hearing scheduled February 20th.*

HB1781 *Alcohol and controlled substances.*

ATOD

E Harris, R Kuzman, G Porter

Courts and Criminal Code

Specifies that it is a Class B misdemeanor for a person to be: (1) in a public place or a place of public resort; or (2) in or upon public transportation or in a depot, station, or airport; in a state of intoxication caused by the person's use of alcohol and or a controlled substance. Requires a person to pay the \$200 alcohol and drug countermeasures fee if: (1) the person is found to have committed the offense of operating a tractor-trailer combination or other vehicle recklessly and the person's offense involved the use of alcohol or a controlled substance; or (2) the person is found to have committed the offense of public intoxication or intoxication upon a common carrier and the person's offense involved the operation of a vehicle. Removes a provision that requires a person's driving privileges to be suspended by a court or the bureau of motor vehicles before the person is required to pay the alcohol and drug countermeasures fee. *Amended to cover "crimes, infractions, and delinquent acts" in committee and passed out of committee, 11-0. Corrective amendments were made and accepted at 2nd reading.*

HB1813 *Mental health*

ATOD

S Crosby, C Brown, G Goeglein

Public Health

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Changes the name of the division of mental health to the division of mental health and addiction. Amends the definition of "managed care provider." *Rescheduled hearing in committee on February 14th. Co-authors added: Reps C. Brown and G. Goegelein. Hearing rescheduled again for February 20th.*

HB1842 Tobacco settlement funds

ATOD

Charlie Brown

Public Health

Converts certain existing trust funds to accounts within the Indiana tobacco master settlement agreement fund. Makes conforming changes. *Amendments impacting the tobacco board and agency as well as tobacco control activities were made in committee. The bill was passed out of committee, 12-0.*

HB1892 Methamphetamines

ATOD

M Dvorak, B Hasler, J Weinzapfel, D Yount

Courts and Criminal Code

Makes the criminal penalties for offenses relating to methamphetamine equivalent to the penalties for offenses relating to cocaine. Makes conforming changes to other statutes relating to cocaine and narcotic drug offenses to incorporate offenses relating to methamphetamine. Imposes a Class D felony for manufacturing drugs on property where a child resides. Increases the criminal penalty for possessing precursors when the offender possess a firearm. Permits a law enforcement agency to dispose of chemical waste used in the production of illegal drugs. Imposes a Class D felony for the dumping of chemical drug waste. *ISP/ Commission recommendation. This bill will become the methamphetamine omnibus bill for the Governor's office. Testimony was first heard in committee on Jan 31. The chair appointed Rep. S Mellinger to convene a subcommittee to compile an inclusive proposal for a hearing scheduled on February 14th. The Committee accepted the report and amended bill, passing it out 12-0. The redrafted legislation covers the following:*

Makes the criminal penalties for offenses relating to methamphetamine equivalent to the penalties for offenses relating to cocaine and narcotic drug. Makes conforming changes to other statutes relating to cocaine and narcotic drug offenses to incorporate offenses relating to methamphetamine. Permits a law enforcement agency to dispose of chemical waste used in the production of illegal drugs. Imposes a class D felony for the dumping of chemical drug waste. Creates penalties for possessing anhydrous ammonia. Creates a defense for a person charged with a felony drug offense that is elevated because the person was within 1,000 feet of school property, public park, family housing complex, or youth program center.

SB005 Open alcoholic beverage containers.

ATOD

Tom Wyss

Public Policy

Makes it a Class B infraction for the operator of a motor vehicle, while the motor vehicle is in operation or while the motor vehicle is located on the right-of-way of a public highway, to knowingly allow an alcoholic beverage container that has been opened, that has a broken seal, or from which some of the contents have been removed to be in the passenger compartment of the motor vehicle. Provides certain exceptions. *Council recommendation. Hearing scheduled for Tuesday, Feb 28th at 10 am in Room 130 of the Statehouse.*

SB096 Alcoholic beverage retail permits.

ATOD

Ron Alting

Governmental and Regulatory Affairs

Provides that in the case of a municipal annexation, the alcoholic beverage commission may only reclassify a retailer's permit in the former unincorporated territory as a permit inside the municipality if the permittee has actually conducted a retail business at the site for two consecutive years. *Bill scheduled for a hearing on February 14th. Passed out of Senate, 48-0. House sponsor is Rep. Kuzman.*

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SB101 ***Prohibit distribution of nitrous oxide to minors.***
ATOD **T Lanane, C Meeks**
Corrections and Criminal and Civil Procedures

Prohibit distribution of nitrous oxide to minors. Provides that a person who distributes nitrous oxide to an individual less than 18 years of age commits a misdemeanor. *Amended in committee and passed out, 7-0. Passed 2nd reading. Bill passed out of Senate, 48-0.*

SB466 ***Implied Consent***
TS/ATOD **W Alexa, T Wyss**
Public Policy

Requires a law enforcement officer to offer a chemical test to a person who the officer has reason to believe operated a vehicle that was involved in a fatal accident or an accident involving serious bodily injury to determine if alcohol, a controlled substance, or a drug is present in the person's body. *Council recommendation. Heard in committee on February 13th and passed out, 10-0. Bill passed 2nd reading.*

SB506 ***Court ordered drug and alcohol programs***
TS/ATOD **T Wyss, W Alexa**
Public Policy

Court ordered drug and alcohol programs. Increases the fees that may be charged for participation in court ordered alcohol and drug programs. Permits the board of directors of the judicial conference to adopt rules governing the certification, operations, and employee qualifications for court alcohol and drug services programs. *Indiana judicial center recommendation endorsed by the Inter Agency Council on Drugs. This bill passed out of committee, 8-0.*

SB572 ***Responsible retail permittee programs***
TS/ATOD **R Alting**
Public Policy

Responsible retail permittee program. Provides that the Indiana alcoholic beverage commission shall establish an alcohol server training program. Specifies the subject areas to be covered by the employee training courses. Allows the commission to suspend or revoke an employee's permit or impose a fine for noncompliance with the program. Allows the commission to suspend or revoke a retail permittee's permit or impose a fine for noncompliance with the program. Requires the Indiana alcoholic beverage commission to consider a retail permittee's certification in the program in the mitigation of administrative penalties or fines for an employee's illegal sale or service of an alcoholic beverage to an underage or intoxicated person. *Recommendation of ICRUD. This bill's hearing was rescheduled for Tuesday, February 27th.*

SB576 ***Drunk driving***
TS/ATOD **R M Young, R Bray and Wm Alexa**
Corrections and Criminal and Civil Procedures

Drunk driving. Establishes that a person who operates a motor vehicle while intoxicated with at least one child under the age of 18 in the vehicle commits a nonsuspendible Class D felony. Provides that a person whose license is suspended following a conviction of: (1) operating a motor vehicle while intoxicated with at least one child in the vehicle; (2) operating a motor vehicle while intoxicated with one previous conviction; and (3) operating a motor vehicle with an alcohol concentration greater than 0.15%; may not obtain a probationary license. Requires lifetime license suspension for persons convicted of operating a motor vehicle while intoxicated causing death and for a third or subsequent conviction of operating a motor vehicle while intoxicated. Reduces the availability of hardship licenses for persons with lifetime license suspensions. Increases mandatory jail time for various

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alcohol offenses. *This bill was heard in committee on February 14th. The bill rescheduled for a hearing on Feb 20th, when it was passed out of committee. Sens. R Bray and W Alexa were added as co-authors.*